

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

FILED BY JE D.C.

05 SEP 27 AM 11:29

THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
W/D OF TN, MEMPHIS

DENNIS CRAIG, et al.,

Plaintiffs,

vs.

ST. JUDE MEDICAL INC., et al.,

Defendants.

No. 05-2564 MI/An

**ORDER DENYING PLAINTIFFS' MOTION TO CONDUCT DISCOVERY
ON JURISDICTIONAL FACTS**

Before the Court is Plaintiffs' Motion to Conduct Discovery on Jurisdictional Facts.

Plaintiffs failed to file a Certificate of Consultation as required by Local Rule 7.2(a)(1)(B) of the

Local Rules of the United States District Court for the Western District of Tennessee. Local

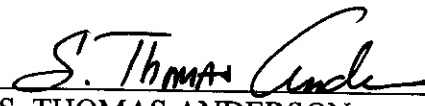
Rule 7.2(a)(1)(B) provides:

Consultation by Counsel. All motions, including discovery motions, but not including motions pursuant to Fed. R. Civ. P. 12, 56, 59, and 60 shall be accompanied by a certificate of counsel (with one copy) affirming that, after consultation between the parties to the controversy, they are unable to reach an accord as to all issues or that all other parties are in agreement with the action requested by the motion. Failure to file an accompanying certificate of consultation may be deemed good grounds for denying the motion.

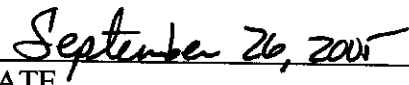
The certificate must contain the names of participating counsel and the date and manner of consultation. The burden will be on counsel filing the motion to initiate the conference upon giving reasonable notice of the time, place and specific nature of the conference. If an opposing counsel or party refuses to cooperate in the conduct of a conference, counsel must file certificate to that effect, setting out counsel's efforts to comply with this rule.

Therefore, the motion is **DENIED** without prejudice.

IT IS SO ORDERED.



S. THOMAS ANDERSON
UNITED STATES MAGISTRATE JUDGE



DATE



Notice of Distribution

This notice confirms a copy of the document docketed as number 37 in case 2:05-CV-02564 was distributed by fax, mail, or direct printing on September 27, 2005 to the parties listed.

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Honorable Jon McCalla
US DISTRICT COURT